

FILED

08 AUG 18 AM 11:51

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jesus MUNOZ-Carillo,

Defendant

Magistrate Docket No.

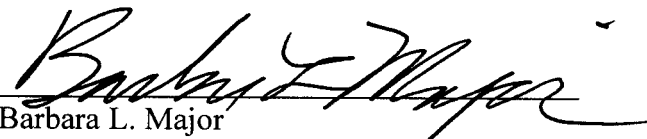
'08 MJ 2541

COMPLAINT FOR VIOLATION OF:Title 8, U.S.C., Section 1326
Deported Alien Found in the
United StatesCLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIAJMA
DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **August 14, 2008** within the Southern District of California, defendant, **Jesus MUNOZ-Carillo**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Ismael A. Canto
Senior Patrol AgentSWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **18th** DAY OF **August, 2008**
Barbara L. Major
UNITED STATES MAGISTRATE JUDGEDPA
8/14/08
JMA

CONTINUATION OF COMPLAINT:

Jesus MUNOZ-Carrillo

PROBABLE CAUSE STATEMENT

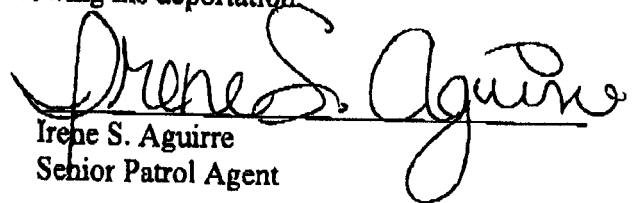
I declare under the penalty of perjury that the following statement is true and correct:

On August 14, 2008, Senior Patrol Agent J. Lara, was working assigned line-watch duties in the Imperial Beach Area of Operations in an area known as "Goat Canyon." "Goat Canyon" is approximately five miles west of the San Ysidro Port of Entry and approximately fifty to one hundred yards north of the United States/Mexico International Boundary. Due to its proximity to the International Boundary, and the availability of easy concealment thereat, "Goat Canyon" is an area frequently used by illegal aliens to further their entry into the United States. At approximately 11:15 P.M., Agent Lara was advised by the West Scope Operator, Border Patrol Agent A. Martinez of his visual observation of an individual walking north from the International Boundary in "Goat Canyon." Agent Lara responded to the scene and observed the individual still headed north. Due to the time of night, the location of the individual and his proximity to the International Boundary, Agent Lara identified himself as a United States Border Patrol Agent and conducted an immigration inspection, questioning the individual as to his citizenship and nationality. The individual, later identified as the defendant **Jesus MUNOZ-Carrillo**, freely admitted to being a citizen and national of Mexico not in possession of any documentation permitting him to enter or remain in the United States legally. At approximately 11:30 P.M., Agent Lara arrested MUNOZ for illegal entry into the United States. He was next transported, along with the other six individuals, to the Imperial Beach Border Patrol Station for processing.


Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on October 08, 2004 through San Ysidro, California. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was read his Miranda rights, which he acknowledged and was willing to make a statement without an attorney present. The defendant stated that he was a citizen and national of Mexico without valid immigration documents to enter or remain within the United States legally. The defendant stated that he had not applied for permission to re-enter the United States following his deportation.

Executed on August 16, 2008 at 10:00 A.M.


Irene S. Aguirre
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on August 14, 2008, in violation of Title 8, United States Code, Section 1326.


Barbara L. Major
United States Magistrate Judge

8/16/08 at 10:24am
Date/Time